



Order Filed on December 3,  
2019 by Clerk, U.S. Bankruptcy  
Court - District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE  
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Attorneys for Morgan Stanley Mortgage Loan Trust  
2007-9SL, Mortgage Pass-Through Certificates, Series  
2007-9SL, U.S. Bank National Association, as  
Trustee, successor in interest to Bank of America,  
National Association, as Trustee successor by merger  
to LaSalle Bank National Association, as Trustee

In Re:

Angela M. Risoli and Gerald Risoli,

Debtors.

Case No.: 19-24147 SLM

Adv. No.:

Hearing Date: 9/11/19 @ 8:30 a.m.

Judge: Stacey L. Meisel

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED**

**DATED: December 3, 2019**

A handwritten signature in cursive script that reads "Stacey L. Meisel".  
\_\_\_\_\_  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

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Debtors: Angela M. Risoli and Gerald Risoli  
Case No.: 19-24147 SLM  
Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Morgan Stanley Mortgage Loan Trust 2007-9SL, Mortgage Pass-Through Certificates, Series 2007-9SL, U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee successor by merger to LaSalle Bank National Association, as Trustee, holder of a mortgage on real property located at 25 Sterling Hill Road, Sparta New Jersey 07871, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Angela Nascondiglio Stein, Esquire, attorney for Debtors, Angela M. Risoli and Gerald Risoli, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** Secured Creditor's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** The avoidance of Secured Creditor's second lien is contingent upon the Debtors' completion of the Chapter 13 plan and the Debtors' receipt of a Chapter 13 discharge and;

It is **FURTHER ORDERED, ADJUDGED and DECREED** Secured Creditor shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** That each party shall bear their own attorney's fees and costs incurred in the present case number; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that the property is destroyed or damaged, pursuant to the mortgage, Secured Creditor is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtors' completion of the Chapter 13 plan, Secured Creditor's

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Debtors:

Angela M. Risoli and Gerald Risoli

Case No.:

19-24147 SLM

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** Secured Creditor shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New Jersey

In re:  
Gerard Risoli  
Angela M Risoli  
Debtors

Case No. 19-24147-SLM  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 04, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 06, 2019.  
db/jdb +Gerard Risoli, Angela M Risoli, 25 Sterling Hill Road, Sparta, NJ 07871-3414

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 06, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 4, 2019 at the address(es) listed below:

Angela Nascondiglio Stein on behalf of Joint Debtor Angela M Risoli  
nascondiglio@middlebrooksshapiro.com  
Angela Nascondiglio Stein on behalf of Debtor Gerard Risoli  
nascondiglio@middlebrooksshapiro.com  
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company, as Trustee, et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-9SL, Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Melinda D. Middlebrooks on behalf of Debtor Gerard Risoli middlebrooks@middlebrooksshapiro.com, melindamiddlebrooks@gmail.com  
Melinda D. Middlebrooks on behalf of Joint Debtor Angela M Risoli  
middlebrooks@middlebrooksshapiro.com, melindamiddlebrooks@gmail.com  
Rebecca Ann Solarz on behalf of Creditor Deutsche Bank National Trust Company, as Trustee, et al... rsolarz@kmlawgroup.com  
Rebecca Ann Solarz on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-9SL, Et Al... rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10